

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

KEITH V. OTTO,

Plaintiff,

v.

COLLIN COLLEGE,

Defendant.

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CIVIL ACTION NO. 4:21-CV-00948-ALM-  
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**ORDER**

Pending before the Court is Defendant Collin College's ("Defendant") Motion for Partial Dismissal Pursuant to Federal Rule of Civil procedure 12(b)(6) [Dkt. 10]. Subsequent to the filing of the Motion for Partial Dismissal, Plaintiff Keith V. Otto filed an amended complaint [Dkt. 29], which is now the live pleading in this matter. As such, Defendant's Motion for Partial Dismissal is moot. Accordingly,

It is therefore **ORDERED** that Defendant Collin College's ("Defendant") Motion for Partial Dismissal Pursuant to Federal Rule of Civil procedure 12(b)(6) [Dkt. 10] is **DENIED AS MOOT** without prejudice to refile as to the now live pleading.

**IT IS SO ORDERED.**

**SIGNED this 10th day of March, 2022.**



Christine A. Nowak  
UNITED STATES MAGISTRATE JUDGE